

Comments Duke Zimmer:

EPA: None

State: None

Company: See letter dated August 4, 2010.



Duke Energy Corporation
526 South Church St.
Charlotte, NC 28202

Mailing Address:
EC13K/PO Box 1006
Charlotte, NC 28201-1006

Via E-Mail and Overnight Courier

August 4, 2010

Mr. Stephen Hoffman
US Environmental Protection Agency
Two Potomac Yard
2733 S. Crystal Drive
5th Floor, N-237
Arlington, VA 22202-2733

Re: Draft Dam Safety Assessment Report
W.H. Zimmer Station
1781 US Route 52
Moscow, Ohio 45153

Dear Mr. Hoffman:

Duke Energy Ohio, Inc. received and has reviewed the draft report for W.H. Zimmer Station that resulted from the site assessment of the Wastewater Pond Complex conducted on April 28, 2010 by O'Brien & Gere Engineers, Inc., under contract to the United States Environmental Protection Agency (EPA). Duke Energy supports the EPA's objective of ensuring ash basin dam safety and remains committed to the safe operation and maintenance of coal ash basins.

The impoundment facilities at Zimmer are currently under the regulatory authority of the Ohio Department of Natural Resources, Division of Water (ODNR). The ODNR conducts an assessment/inspection of the impoundments at a minimum of once every five years. In addition, Duke Energy regularly conducts internal inspections and periodically contracts third party inspections of the Zimmer Wastewater Pond Complex.

Duke Energy remains committed to meeting all state and federal requirements and managing its coal combustion byproducts impoundments in a safe and responsible manner. Based on ongoing monitoring, maintenance and inspections, Duke Energy is confident that the Zimmer Wastewater Pond Complex has the structural integrity necessary to protect the public and the environment.

After reviewing the draft "Dam Safety Assessment of CCW Impoundments" report for the W.H. Zimmer Station, Duke Energy submits the following comment:

Section 2, Page 3

Delete "for storing" and replace with "which may contain." The Zimmer Waste Water Pond is not designed to store Coal Combustion Wastes (CCW). The Zimmer Waste Water Pond is designed for water treatment including sedimentation treatment of solids. This may result in CCW being present in the Zimmer Waste Water Pond; however, the Zimmer Waste Water Pond is not designed primarily for the storage of CCW.

If you have any questions regarding these comments or need additional information, please contact me at 980-373-3719.

Sincerely,



D. Edwin M. Sullivan, PE
Corporate EHS Services